

## **TAPED**

The License Commission held an Emergency Special Meeting on Thursday, August 15, 2013, in the G.A.R. Room at City Hall. Present were Chairman Scott H. McDuffy; Commissioners Paul D. Sullivan and Joshua J. Wood; Asst. City Solicitor Kate Feodoroff; License Agent Lieut. Paul Bonanca; and Administrative Assistant Bonnie Tucker.

Chairman McDuffy called the meeting to order at 5:00 p.m. and stated that the reason for the emergency meeting is because the Brockton Fair Caterers, Inc. were not represented at last night's meeting and the request for the amendment to the Entertainment license for the Tomato Bash event on Saturday, August 17<sup>th</sup> was denied. After some consultation with the Chief of Police and other members of the Police Department today, they have determined there could be a safety issue involved because people could show up not knowing the event is cancelled and they could get upset. The Chief and others have decided it is a safety issue and with that in mind, he has decided to call an Emergency meeting tonight to deal with this issue and eliminate any safety concerns. He explained this is a legal option and they have decided to have this meeting.

1. Hearing (originally scheduled for August 14, 2013) on the request from Brockton Fair Caterers, Inc. – Maura Carney, Manager, to amend the Entertainment license to include the following events to be held at the Brockton Fairgrounds:

### **August 17, 2013**

Tomato Bash Event from 1:00 p.m. to 6:00 p.m.

Present was Thomas Clifford, 39 Carpenter Street, Rehobeth, who stated he is the property manager at the Brockton Fairgrounds. Also present was George Carney.

Mr. Clifford stated that there will be a 50' by 50' tarpaulin laid out on the infield grass and it is a tomato throwing contest. All of the tomatoes are softened. He described it as a feel good kind of event. This is the first time they have had this event. Similar events are held all over the country. Marty Parker who is running the event is out of Ohio and has held four of these events and has never had any problems at any of them.

Lieut. Bonanca stated that in speaking with Tom Clifford, it is his understanding that they will deal with the parking issues regarding some of the complaints that were heard at last night's meeting. He asked that if it is approved, it be done so with the contingency on police details that if the police supervisor or license agent assigned deems it to be a safety issue, they can add police details at the expense of the Brockton Fair Caterers, Inc. He asked if there would be any opposition and Mr. Carney indicated not from them. Lieut. Bonanca stated that if any issues arise, the Commission can deal with them at next month's meeting.

Mr. Clifford agreed that the issue they had on July 27<sup>th</sup> with the Color Me Rad event and the parking in the area businesses' lots proved to be a problem for the merchants. He stated 12,000 people came to the City and the parking was the only problem they had. He stated he has talked with Robin at Staples; to Shawntel at PetSmart; and with the day manager at Shaw's. He left his card with all of them in case of any future problems. The event on Saturday should only have 1,000 people attending. On the Color Me Rad event there was no charge for parking. He stated

he talked to all of the abutters and to Brian McLaughlin's people at their realty headquarters and gave them all the information. In addition, he spoke to Mark Higgins who appeared at last night's Commission meeting.

Ms. Tucker reviewed that they had talked about the management issue last night and Councillor Cruise had mentioned he had difficulty getting a hold of someone who was in charge at a prior event so she asked if they could also provide him with a contact in case the councillors have any issues.

Mr. Carney stated he is in charge and Councillor Cruise knows him well enough to know where he lives. He indicated he is offended by that remark. Attorney Feodoroff indicated Councillor Cruises' concern was that he had gone to an event after receiving complaints and he couldn't find anyone on site who could tell him who was in charge. She suggested that Mr. Carney should leave his contact information with the person who is in charge of the event. Also, on the license, Maura Carney is listed as the manager. Mr. Carney stated they are working on getting that straightened out and he told the Commission six months ago. He stated he knows it is an issue with the Commission but he has other more pressing issues. Mr. Clifford guaranteed that they would have the manager straightened out for next month's meeting. Mr. Carney stated if he has to bring Maura down and say she is the manager he will to that. The Chairman stated it needs to be more than that and the person will have to come to the meetings and represent Brockton Fair Caterers. Mr. Carney stated he owns it so that is why he comes himself.

Commissioner Wood made a motion to reconsider the order of last night in denying their license request for the Tomato Bash and to approve the application with the proviso that if there are additional details needed as determined by the Brockton Police Department, they will provide the detail at their own expense. The motion was seconded by Commissioner Sullivan. With all members present voting in favor, the motion carried.

With no further business to come before the Commission, a motion was made by Commissioner Wood to adjourn the meeting. The motion was seconded by Commissioner Sullivan and made unanimous by vote of Chairman McDuffy.

Respectfully submitted,

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Scott H. McDuffy  
Chairman

APPROVED:

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Paul D. Sullivan, Commissioner

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Bruce G. Dansby, Commissioner

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Joshua J. Wood, Commissioner

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Kathy Kenney, Commissioner

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Fred Fontaine, Alternate Commissioner

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Catherine B. Holbrook  
Alternate Commissioner